### JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN-2007-632-CS

FILE NU	U <b>MBER</b> :	MVN-2007-632-CS		
State Pari Cen App Nan	e: sh: ter coordi proximate	ATION INFORMATION: Louisiana Iberville nates of site (latitude/longitude) size of area (parcel) reviewed, est waterway: crshed:	e): including	LAT: 30-17-39/LONG: 91-19-15 g uplands: 0.05 acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 3/06/2007 Date(s):
Jur	isdictiona	l Determination (JD):		
	United S			, \(\sum \) there appear to be (or) \(\sum \) there appear to be no "waters of the inited States" on the project site. A preliminary JD is not appealable
$\boxtimes$		d JD – An approved JD is an all that apply:	ppealable	action (Reference 33 CFR part 331).
		e are "navigable waters of the wed area. Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
		e are "waters of the United State area. Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area:
	☐ There			te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
<u>A.</u>	Waters The pres	ence of waters that are subject	29 as "na to the ebb	avigable waters of the United States":  o and flow of the tide and/or are presently used, or have been used in  rt interstate or foreign commerce.
B. ⊠	(1) The printerstate (2) The printerstate (3) The printerstate (3) The printerstate (3) The printerstate (4) Important (5) The printerstate (6) The printerstate (5) The printers	presence of waters, which are of or foreign commerce, including or sence of interstate waters in presence of other waters such a standard water or could affect inters which are or could be used by information which fish or shellfish are which are or could be used for the water of a tributary to a water sence of a tributary to a water sence of territorial seas.	currently ung all wat cluding in as intrastat tholes, we tate communerstate ce or could rindustria defined as er identification.	the lakes, rivers, streams (including intermittent streams), mudflats, at meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce. Is waters of the US.
Rat	ionale for	the Basis of Jurisdictional I	etermina	ation (applies to any boxes checked above).
		n Bayou Grosse Tete, which is		

E. Supple 2007-632

	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: limits of OHWM undetermined.
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 17.5 Minute Historic quadrangles:  U.S. Geological Survey 18.5 Minute Historic quadrangles:  U.S. Geological Survey 18.5 Minute Historic qua

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

#### JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN 2007-734 CT PROJECT LOCATION INFORMATION: State: Louisiana Parish: E Baton Rouge Center coordinates of site (latitude/longitude): 30.46054/ -91.03441 Approximate size of area (parcel) reviewed, including uplands: ~0.25 acres. Name of nearest waterway: Lively Bayou Name of watershed: 08070202 JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 2/28/07  $\boxtimes$ Date(s): Site visit(s) Jurisdictional Determination (JD): Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: Mattheware "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands<sup>1</sup>. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). Lively Bayou, tributary to Jones Creek, tribuatry to Amite River, a navigable water of the U.S.

	ordinary High Water Mark indicated by:  Clear, natural line impressed on the bank  the presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  shelving  other: undetermined
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Acological Survey 15 Minute Historic quadrangles:  U.S. Acological Survey 15 Minute Historic soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date):  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-767-CS PR

Stat Pari Cen App Nar	e: sh: iter coordin proximate:	Louisiana Assumption nates of site (latitude/longitud size of area (parcel) reviewed est waterway: ershed: 8090302	e): , including	LAT: 29-43-51/LONG: 91-04-04 g uplands: acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 03/01/2007 Date(s):
Jur	isdictiona	l Determination (JD):		
	United S			, there appear to be (or) there appear to be no "waters of the Inited States" on the project site. A preliminary JD is not appealable
⊠		ed JD – An approved JD is an il that apply:	appealable	e action (Reference 33 CFR part 331).
	☑ There the revie	e are "navigable waters of the wed area. Approximate size	United Stof jurisdic	ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
		e are "waters of the United St d area. Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area:
	☐ There			ate waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No.
BASIS	OF JURIS	SDICTIONAL DETERMIN	ATION:	
A. ⊠	Waters The pres	defined under 33 CFR part ence of waters that are subject	329 as "na t to the ebl	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
_	(1) The properties of the prop	presence of waters, which are e or foreign commerce, includ presence of interstate waters in presence of other waters such s, wetlands, sloughs, prairie point of which could affect interwhich are or could be used by from which fish or shellfish at which are or could be used for the which are or could be used for the which are or could be used for the water of waters otherwise presence of a tributary to a watersence of territorial seas.	currently currently with a sintrasta otholes, we state comminterstate or could be industriate defined a ter identification other with the country of the cou	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce. Il purposes by industries in interstate commerce. It was waters of the US.

Late ⊠	cral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: limits of OHWM undetermined
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Other (explain):  REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Actional wetlands inventory maps:  State/Local wetland inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date):  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on:  Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>T</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

### JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-791-CS

Sta Par Cer Ap Na	nte: rish: enter coordir oproximate s	LOUISIANA LOUISIANA LAFOURCHE NATION:  Lafourche nates of site (latitude/longitude size of area (parcel) reviewed, est waterway:  ershed:	e): , including	LAT: 29-04-30/LONG: 90-20-26 g uplands: 0.1 acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 03/02/2007 Date(s):
Ju	risdictiona	l Determination (JD):		
	Prelimina United St	ary JD - Based on available in	formation, rs of the U	, there appear to be (or) there appear to be no "waters of the inited States" on the project site. A preliminary JD is not appealable
		d JD – An approved JD is an a Il that apply:	appealable	e action (Reference 33 CFR part 331).
	There	e are "navigable waters of the wed area. Approximate size of	United Start of jurisdict	ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
		e are "waters of the United Sta d area. Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area:
	☐ There			nte waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
A.	Waters of	ence of waters that are subject	329 as "na t to the ebb	avigable waters of the United States":  o and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
	the past,	of may be susceptible for use	to transpo	
<b>B.</b>	Waters (a) (1) The printerstate (2) The present (2) The present (2) The present (2) The present (2) (3) The present (3) (4) Import (5) The present (6) The present (2) (2) The present (3) The present (4) The present (4) The present (5) The present (5) The present (5) The present (6) The present (5) The	defined under 33 CFR part 3 presence of waters, which are to or foreign commerce, including presence of interstate waters in presence of other waters such as, wetlands, sloughs, prairie potentially of the water or could be used by from which fish or shellfish are which are or could be used for oundments of waters otherwise presence of a tributary to a watersence of territorial seas.	328.3(a) as currently using all wat including in as intrastated tholes, we estate comminterstate corrections or could be industriated defined as ter identification.	s "waters of the United States":  ased, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide.  attention terstate wetlands.  te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.  I be taken and sold in interstate or foreign commerce. If purposes by industries in interstate commerce.  Is waters of the US.
	Waters (1) The printerstate (2) The printerstate (3) The printerstate (4) The printerstate (5) (1) Water (	defined under 33 CFR part a presence of waters, which are conforcing commerce, including presence of interstate waters in presence of other waters such as, wetlands, sloughs, prairie point of which could affect interswhich are or could be used by from which fish or shellfish are which are or could be used for oundments of waters otherwise presence of a tributary to a watersence of territorial seas.	328.3(a) as currently uling all wat neluding in as intrastat otholes, we state comminterstate or could or industrial edefined atter identifi	s "waters of the United States":  ased, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide.  attended the states wetlands.  te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.  I be taken and sold in interstate or foreign commerce. all purposes by industries in interstate commerce. s waters of the US.  ded in (1) – (4) above.

Late	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: lateral limits extend beyond project site.  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
R	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	<ul> <li>Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li> <li>Other (explain):</li> </ul>
	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Associated Survey 15 Minute Historic quadrangles:  U.S. Associated Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

## JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans

FILE NUMBER: MV	'N-2007-812-CS		
Parish: Ter Center coordinates	uisiana rrebonne s of site (latitude/longitud of area (parcel) reviewed, vaterway:	e): , including	LAT: 29-23-41/LONG: 90-40-19 g uplands: acres.
	DETERMINATION sktop determination e visit(s)		Date: 03/05/2007 Date(s):
Jurisdictional De	etermination (JD):		
United States			a, \( \sum \) there appear to be (or) \( \sum \) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
Approved JD Check all that		appealable	e action (Reference 33 CFR part 331).
	"navigable waters of the area. Approximate size of		rates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
	e "waters of the United Sta a. Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area:
☐ There are			nte waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
A. Waters defin The presence	of waters that are subject	329 as "na t to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in but interstate or foreign commerce.
(1) The prese interstate or f (2) The prese (3) The prese sandflats, we destruction o (i) which (ii) from	ence of waters, which are of foreign commerce, including the confinite state waters in ence of other waters such a stlands, sloughs, prairie poof which could affect inters hare or could be used by in which fish or shellfish are	currently using all wat neluding in as intrastate tholes, we state comminterstate or could	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce.
(4) Impoundr (5) The prese (6) The prese	<ul> <li>(iii) which are or could be used for industrial purposes by industries in interstate commerce.</li> <li>(4) Impoundments of waters otherwise defined as waters of the US.</li> <li>(5) The presence of a tributary to a water identified in (1) – (4) above.</li> <li>(6) The presence of territorial seas.</li> <li>(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.</li> </ul>		
(/) The prese	nce of wellands adjacent	to other w	vaters of the US, except for those wettainus adjacent to other wettainus.
		)etermin <i>a</i>	ation (applies to any boxes checked above).
Subject to the el	bb and flow of the tide.		
AND WAR IN THE			

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Late	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)
	Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
☒	Mean High Water Mark indicated by: lateral limits extend beyond project site.  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:    Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.   Artificially irrigated areas, which would revert to upland if the irrigation ceased.   Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.   Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.   Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).   Isolated, intrastate wetland with no nexus to interstate commerce.   Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:   Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:   Other (explain):
$\bowtie$	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 17.5 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangl

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.